

# **EXHIBIT 3**

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January 28, 2023

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**VIA E-MAIL**

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Re: *Brown, et al. v. Google LLC*, Case No. 4:20-cv-03664-YGR-SVK (N.D. Cal.); *Calhoun, et al. v. Google LLC*, Case No. 4:20-cv-05146-YGR-SVK (N.D. Cal.)

Dear Counsel:

We write (i) in furtherance of our meet and confer on January 27, 2023, where Google demonstrated for Plaintiffs how the information in the tables that are the subject of Google's Motion for Relief in both *Brown* (Dkt. 782) and *Calhoun* (Dkt. 898) is contained in or may be derived from other information that Google is separately preserving, and (ii) in response to two questions you raised at the meet and confer regarding the [REDACTED] and Analytics mapping/linking tables.

[REDACTED] **Tables.** Plaintiffs inquired how to recreate the Biscotti linkages in the [REDACTED] tables using the source tables referenced in Google's January 26, 2023 letter. As explained in the Declaration of Daryl Seah, the [REDACTED] tables comprise daily snapshots with identifier linkages that are derived from the tables Google has identified. *Brown* Dkt. 781-9 ¶ 5; *Calhoun* Dkt. 897-11 ¶ 5. To answer Plaintiffs' question of how the Biscotti linkages would be recreated, we provide the following example for illustration: If, on [REDACTED] maps to [REDACTED] in the [REDACTED] table and the the same [REDACTED] links to [REDACTED] in the [REDACTED]

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table, the [REDACTED] snapshots generated on [REDACTED] would show a linkage between [REDACTED] and [REDACTED]. Because the underlying mappings/linkages between Biscotti and other identifiers from which [REDACTED] draws the Biscotti linkages are all being separately preserved, custom pipelines could be created to use the source mappings/linkages to recreate the Biscotti linkages contained in the [REDACTED] tables. To illustrate by reference to the example above, the custom pipeline would identify the [REDACTED] that is mapped to [REDACTED], and match it on the basis of [REDACTED] to [REDACTED], and therefore re-create the linkage between [REDACTED] and [REDACTED] that exists in [REDACTED]. This custom pipeline would also take into account any privacy settings associated with certain Biscottis or linkages that prevent linkages from being formed in [REDACTED].

In addition, these [REDACTED] tables are outside the scope of the preservation orders in light of the Court's clarification at the January 10, 2023 hearing that only the tables needed to work with the data at issue need to be preserved. *See Brown* Hrg. Tr. 8:4-6 ("I was clear on the record that if the table is needed to work with any of the data at issue, it has to be preserved."). As we have explained before, the [REDACTED] tables are not needed to work with any of the data at issue in the *Brown* case. Dkt 659-10 (Expert Report of Dr. Psounis) at 4; *see also* Berntson 6/16/21 Tr. 372:14-273:10; *id.* at 159:8-20.

**Analytics Tables.** In addition to the sampled data from the [REDACTED] Analytics tables Google provided in the January 26, 2023 letter that indicates the [REDACTED] tables map CID/UID to Biscotti/Device ID, and the named Plaintiff data Google has already produced from the [REDACTED] Analytics logs that are subject to the *Brown* preservation order ([REDACTED] and [REDACTED]), the *Brown* Plaintiffs request that Google show what is in the preserved Analytics logs. Because the data preserved in these [REDACTED] Analytics logs references IDs of randomly-selected users who have not consented for their data to be shared in litigation, Google cannot provide Plaintiffs with the actual data preserved. For the sake of collaboration, however, Google is willing to produce data for one selected day from these [REDACTED] Analytics logs generated by *Brown* Plaintiffs' experts if they provide a maximum of [REDACTED] CIDs and consent for their data to be shared. The parties have used this method in the past, and we trust this will resolve the relevant questions related to the mapping data found in the [REDACTED] Analytics logs.

We are looking into the other questions you raised at the meet and confer. As we stated during the meet and confer, we dispute the relevance those additional questions have to the question the Court has asked us to demonstrate, but if the answers can be reasonably obtained we will provide those as soon as we can.

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Sincerely,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

A handwritten signature in blue ink, appearing to read "Trebicka", with a long horizontal flourish extending to the left.

Viola Trebicka

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